

**Probation Services Task Force
Roundtable Discussion Notes
California District Attorneys Association Meeting
June 7, 2001
Sacramento, CA**

Task Force Members/Staff:

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Approximate No. of Participants: 18

Themes:

- *DAs want to be involved.*
- *Arming of DPOs is an issue.*
- *Location of Victim/Witness Units*
- *Recommend collaborative appointment of the CPO*
- *Probation's scope has expanded – the community needs to be involved.*

District Attorney

- How was the membership of the Task Force determined?
- Prosecution and law enforcement should have been on the task force.

The composition of the task force was set out by CSAC and the AOC. The PSTF is looking into creating an ongoing advisory committee to address probation issues, the composition of which is being discussed.

District Attorney

- Before you finish gathering information, have you considered the impact of Proposition 36 on the caseloads of DPOs?

Yes. We have been working with the Judicial Council's Prop 36 Working Group and are aware of these issues. Within the current time frame, it will not be possible for the task force to come up with caseload ratios; rather, we hope to set up a method for individual counties to create caseload standards.

District Attorney

- In Los Angeles, arming of DPOs is a big issue, due to the fact that they conduct aggressive probation searches. Law enforcement is reluctant to help probation if DPOs are not armed and trained to defend themselves if something goes wrong. Has this issue been raised in the task force?

Yes. We will most likely recommend allowing local discretion to determine whether officers should be armed, due to differences between counties.

District Attorney

- Has the issue of the location of victim/witness units been raised in the task force? Close to 20 units in the state are located in the probation departments of that county, while in the other counties they are located in the District Attorney's office.
- DAs would like Victim/Witness Units to be in their office, not in probation departments.

District Attorney

- Is the PSTF looking at victim restitution issues and how probation departments can collaborate with the Board of Control and Franchise Tax and other agencies to improve victim restitution?

This issue hasn't specifically come up with the task force, although we have discussed BARJ and increasing victim satisfaction and involvement in probation.

District Attorney

- Probation also administers large amounts of funds from the state and federal government that impact not just the courts, but also the entire community.
- Probation's scope is very large – the community needs to be involved.
- In my county, the court is not interested in being involved in issues outside of the administration of justice; the Board of Supervisors is more interested in community issues.

District Attorney

- Did not respond to survey of probation departments because did not know where it would end up – did not want to criticize the department without knowing more about the purpose of the survey.

The surveys sent out are blind. People will not be identified by name or by county.

District Attorney

- Concerned about who funds probation, its structure, and where responsibilities lie.

District Attorney

- Have a new, very good Chief Probation Officer, but the fact that the courts controls him is a problem.
- The courts often ignore mandates, and they are not included in the probation reports.
- Prosecution should be involved in the task force.

District Attorney

- When new CPO was chosen a one and a half years ago, appreciated the opportunity of being on the interview panel.
- Has a very good relationship with the CPO, but looking down the road, can see that as a result of Trial Court Funding, the Supervisors perceive that the courts are out of the loop; they have a parasitic relationship. There is resentment about the way the Court Executive Officers handle personnel relationships. If probation separates from the county, the counties might resent probation more since it is funded by the counties but is supervised by the courts.
- Courts are looked upon differently than District Attorneys offices, since although DAs are funded by the counties, at least one voice advocates for DAs. There is a lack of leadership in the courts.
- Would hesitate to have the BOS appoint the CPO
- Ideal system: would have shared responsibility in appointment of the CPO between the courts and the BOS, since probation's scope goes beyond services solely related to the courts.
- Dichotomy exists between adult and juvenile services, since different statutes govern each division. Prop 21 will intensify this dichotomy.
- Would recommend having two different CPOs for adult and juvenile, since their needs are so different.
- Juvenile services and facilities take a second place to adult facilities – money is spent on building adult jails.

District Attorney

- Funding issue: Problem exists when someone is responsible for funding, but they do not get input on the impact of funding; creates personnel issues, etc.